

**GOVERNMENT OF ODISHA
FOREST & ENVIRONMENT DEPARTMENT**

No. FE-DIV-FLD-0068-2021- 8033/F&E, Bhubaneswar, dated the 22.04.21
10F (Cons) 14/19

ORDER

Sub: Proposal seeking prior approval under Section-2 of the Forest (Conservation) Act, 1980 for non-forestry use of 106.016 ha of forest land (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar Wildlife Division, Anandapur of Keonjhar District, Odisha for installation of Mechanized facilities by M/s OMC Ltd for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines.

WHEREAS, the Managing Director, Odisha Mining Corporation Ltd, Bhubaneswar, Odisha had applied for diversion of forest land 106.016 ha (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar Wildlife Division of Keonjhar District, Odisha for installation of Mechanized facilities for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines.

And whereas, the Ministry of Environment, Forest and Climate Change (FC Division), Government of India, had accorded Stage-I clearance /in-principle approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of forest land 106.016 ha (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar Wildlife Division of Keonjhar District, Odisha for installation of Mechanized facilities by M/s OMC Ltd for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines subject to fulfillment of certain conditions vide its letter F.No.8-27/2017-FC dtd.27.09.2017 **(Annexure-I)**.

And whereas, the MoEF&CC, Government of India, New Delhi in consideration of the compliance of the conditions of the 'in-principle' approval, have accorded final approval under Section-2 of the Forest (Conservation) Act, 1980 for non-forestry use of 106.016 ha of forest land (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar Wildlife Division, Anandapur of Keonjhar District, Odisha for installation of Mechanized facilities by M/s OMC Ltd for production and dispatch of 2.5 MTPA of Iron Ore from Daitari Iron Ore Mines vide its Letter File No.8-27/2017-FC dtd.22.03.2021 **(Annexure-II)** subject to conditions as stipulated therein.

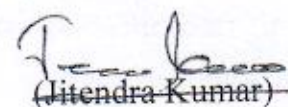
Now therefore, the Government of Odisha, do hereby allow diversion of above mentioned 106.016 ha of forest land in favour of user agency as per approved land use pattern subject to fulfillment of the conditions of final forest clearance order as stipulated by the MoEF&CC, Government of India, New Delhi.

The Collector, Keonjhar, Collector and Divisional Forest Officer, Keonjhar Wildlife Division, Anandapur, as the case may be are hereby authorized to handover the forest land coming within their jurisdiction, after compliance of **condition-A i.e. Conditions which need to be complied prior to handing over of forest land by the State Forest Department**, as has been finally diverted following due procedure of law. Before handing over the forest land to the user agency, it shall be ensured that Net Present Value of forest land for this project as well as for any other projects, belonging to same user agency, is deposited, in full, at applicable rates. **Condition as laid down in condition-B i.e. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department as stipulated in the final approval order dtd.22.03.2021 should also be complied.**

The Divisional Forest Officer, Keonjhar Wildlife Division, Anandapur is also directed to monitor compliance to the conditions stipulated for such diversion in the respective forest/ wildlife clearance order and to report violations, if any, to the Nodal Officer, O/o Principal Chief Conservator Forests, Odisha and to the Forest & Environment Department.

Execution of project activities will be subject to availability of all other statutory clearances required under relevant Acts/Rules for this project, deposit of requisite funds and compliance of Court's order, if any.

By order of Governor



(Jitendra Kumar)

Special Secretary to Government 22/4/21

Memo No. 8034 /F&E Dated 22.04.21


Copy along with the copy of Annexure-I and Annexure-II as above forwarded to the Principal Chief Conservator of Forests, Odisha for kind information and necessary follow up action.

Appropriate instruction to the Divisional Forest Officer of Keonjhar Wildlife Division, Anandapur and user agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer, Keonjhar Wildlife Division, Anandapur that Net Present Value of the forest land involved in this project of user agency as well as for any other projects of the same user agency, is deposited by them in appropriate head in full, at applicable rates. The user agency may also be instructed to furnish compliance to the conditions of forest/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer of Keonjhar Wildlife Division, Anandapur for facilitating monitoring of compliances.


Special Secretary to Government
22/4/21

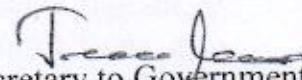
Memo No. 8035 /F&E Dated 22.04.21

Copy along with the copy of Annexures as above forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC (FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/ Deputy Director General of Forests (Central), MoEF&CC, Government of India, IRO, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012- FC dtd.24.07.2013.


Special Secretary to Government

Memo No. 8036 /F&E Dated 22.04.21

Copy along with the copy of Annexures as above forwarded to the Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Odisha/ Director, Environment, Forest & Environment Department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

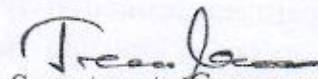

Special Secretary to Government

Memo No. 8037 /F&E Dated 22.04.21

Copy along with the copy of Annexures as above forwarded to the Regional Chief Conservator of Forests, Baripada Circle /Regional Chief Conservator of Forests, Bhawanipatna Circle/ Divisional Forest Officer, Keonjhar Wildlife Division, Anandapur/ Divisional Forest Officer, Kalahandi (South) Division/ Divisional Forest Officer, Cuttack Forest Division for information and immediate necessary compliance.

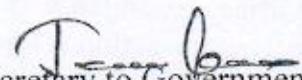
It may be ensured by the Divisional Forest Officers that Net Present Value of the forest land involved in this project of user agency as well as for any other projects of the same user agency, shall be deposited by them in full at applicable rates in appropriate head before handing over of the forest land to user agency. Besides, funds, if any, due to be deposited by the user agency for this project shall also be deposited by the project proponent before the forest land is handed over to them. The user agency may also be instructed to furnish compliance to the conditions of forest/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officers for facilitating monitoring of compliances by him.

The Divisional Forest Officers are also instructed to ensure that the direction given to the user agency are executed immediately.


Special Secretary to Government

Memo No. 8038 /F&E Dated 22.04.21

Copy along with the copy of Annexures as above forwarded to the Steel & Mines Department/ Collector, Keonjhar/ Collector, Kalahandi/ Collector, Jajpur for information and necessary follow up action.


Special Secretary to Government

Memo No. 8039 /F&E Dated 22.04.21

Copy along with the copy of Annexures as above forwarded to the Private Secretary to Minister of Forest & Environment Department for kind information of Hon'ble Minister.


Special Secretary to Government

Memo No. 8040 /F&E Dated 22.04.21

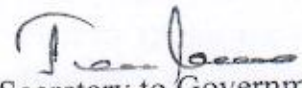
Copy along with the copy of the Annexures forwarded to the Managing Director, M/s.OMC Ltd., OMC House, Bhubaneswar, Odisha for information and immediate necessary action.

The user agency is asked to take following actions immediately as per orders of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government of India vide their letter F. No.7-23/2012-FC dtd.24.07.2013.

- i. *They shall publish the entire forest clearance granted in verbatim along with conditions and safeguards imposed by the Central Government in Stage-I/II forest clearance in two widely circulated daily newspapers, one in vernacular language and the other in English language so as to make people aware of the permission granted to the Project for use of forest land for non-forest purposes.*
- ii. *They shall submit the copies of forest clearance orders granted by the Central Government/State Government to the Heads of local bodies, Panchayats and Municipal bodies along with the relevant offices of the State Government, who in turn, shall display the same for 30 days from date of receipt.*
- iii. *Detailed action taken in compliance to the above order of State Government shall be intimated to the DFO, Keonjhar Wildlife Division, Anandapur / RCCF, Baripada Circle / PCCF, Odisha/F&E Department for reference.*

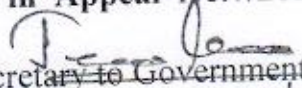
Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project and for any other projects belonging to him in full, if not deposited yet, at applicable rates. Requisite funds due for deposit by the user agency on account of this project shall also be deposited under appropriate head.

The user agency shall furnish compliances to the conditions prescribed in the forest/wildlife clearance order to the Divisional Forest Officer of Keonjhar Wildlife Division, Anandapur in every quarter, for the purpose of monitoring by him.


Special Secretary to Government
22/4/21

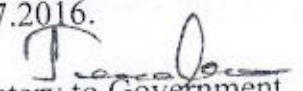
Memo No. 8041 /F&E Dated 22.04.21

Copy with copy of Annexures forwarded to the Head, State Portal, I.T. Centre, Odisha Secretariat, Bhubaneswar for information and necessary action. He is requested to upload this order along with its enclosures in the website of Forest & Environment Department **immediately** for information of all concerned. **This is required in compliance to order of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.7/2012. Hence this may be done unfailingly.**


Special Secretary to Government
22/4/21

Memo No. 8042 /F&E Dated 22.04.21

Copy with copy of Annexures forwarded to the Under Secretary to Government, Office Establishment Section, Forest & Environment Department for information and necessary action with reference to their letter No.12939/F&E dtd.16.07.2016.


Special Secretary to Government
22/4/21



F. No. 8-27/2017-FC

Government of India

Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)Indira Paryavaran Bhawan,
Aliganj Jorbagh Road,
New Delhi-110003Dated: 27th September, 2017

To

The Principal Secretary (Forests),
Government of Odisha,
Bhubaneswar.Div
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Stage-I approval order

Sub: Diversion of forest land 106.016 ha (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar (WL) division of Keonjhar district, Odisha for installation of mechanized facilities by OMC Ltd. for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines.

Sir,

I am directed to refer to the State Government of Odisha's letter No. 10F (Cons) 120/2016/3815/F&E, Bhubaneswar dated 22.02.2017 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

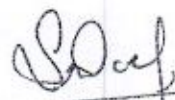
After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, **Stage-I Clearance/ In-principle** approval of the Central Government is hereby granted for diversion of forest land 106.016 ha (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar (WL) division of Keonjhar district, Odisha for installation of mechanized facilities by OMC Ltd. for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory Afforestation shall be done over equal non-forest land (NFL) to the forest area proposed to be diverted within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency. At least 1000 saplings per hectares shall be planted over 106.016 ha (106016 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency. In such case CA cost will be revised and duly approved by competent authority and deposited online in the CAF managed by CAMPA. 25% of the CA cost additionally will be spent towards Soil and Moisture Conservation activities in the proposed CA area as per site requirement and deposited in CAF;
- (iii) **Conveyer belt shall not be used in night time whenever directed by the State Forest Department for the safety of wild animal;**

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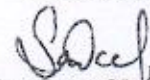
- (iv) **The height of conveyer belt from the ground level shall be more than 5-6 meters to enable free crossing of animals especially the elephants under the cable way;**
- (v) **The sound level shall be kept minimum as per permissible standard in consultation with Chief wild life warden of the state;**
- (vi) **Compensatory afforestation shall be raised over 106.016 ha of Non forest land equivalent to forest land being diverted for the project;**
- (vii) **The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale;**
- (viii) **The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance. The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, as the case may be, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard;**
- (ix) **The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;**
- (x) **The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;**
- (xi) **At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;**
- (xii) **Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;**
- (xiii) **The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;**
- (xiv) **No labour camp shall be established on the forest land;**
- (xv) **The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;**
- (xvi) **The boundary of the diverted forest land, safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;**
- (xvii) **The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;**


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- (xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xx) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- (xxi) No damage to the flora and fauna of the adjoining area shall be caused;
- (xxii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xxiii) The user agency will abide by the applicable recommendations of the State Government;
- (xxiv) The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;
- (xxv) The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- (xxvi) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxvii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfilment on the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

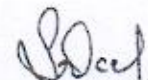


(Sandeep Sharma) 27.8.17

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer (FCA), Office of the PCCF, Government of Odisha, Bhubaneswar.
3. The Addl. PCCF (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC.
6. Guard File.



(Sandeep Sharma) 27.8.17

Assistant Inspector General of Forests (FC)



~~F. No. 8-105/2006-FC~~

Government of India

Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110003

Dated: 22nd March, 2021

To

The Addl. Chief Secretary (Forests),
Government of Odisha,
Bhubaneswar.

Sub: Proposal seeking prior approval under the Section -2 of the Forest (Conservation) Act, 1980 for non-forestry use of 106.016 ha of forest land (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar Wildlife Division, Anandapur of Keonjhar district, Odisha for installation of mechanized facilities by M/s OMC Ltd. for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines -reg.

Sir,

I am directed to refer to the Government of Odisha's letter No 10F (Cons) 120/2016/3815/F&E, Bhubaneswar dated 22.02.2017 on the above-mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that after careful examination of the proposal and recommendation thereof by the Forest Advisory Committee (FAC), In-principle/Stage-I approval was granted by the Ministry vide its letter of even number dated 27.09. 2017 subject to fulfilment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

After careful examination of the proposal on the basis of the compliance report furnished by the Government of Odisha vide their letter no. 19742/ 9F(MG)-104/2016 dated 15.11.2019 and letter No.21123/9F (MG)- 104/2016 dated 03.12.2020, final approval of the Central Government is hereby accorded for non-forestry use of 106.016 ha of forest land (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar Wildlife Division, Anandapur of Keonjhar district, Odisha for installation of mechanized facilities by M/s OMC Ltd. for production and dispatch of 2.5 MTPA of Iron Ore from Daitari Iron Ore Mines subject to the following conditions:

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department .

- i. The non-forest land identified for raising compensatory afforestation shall be notified as RF/PF under IFA, 1927 or under relevant section(s) of the local Forest Act, as the case may be. The Nodal Officer (Forest Conservation) shall report compliance in this regard;
- ii. The Nodal Officer shall ensure that the kml files of the approved CA area and the area under diversion is uploaded in the E-Greenwatch portal.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
31-3-2021

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Under Secretary

(Diversion)

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B. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation**
 - a. The State Government shall ensure that compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised within three years from the date of issue of Stage –II Clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency. At least 1000 saplings per ha shall be planted over 106.016 ha (106016 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in the degraded forest land as per the prescriptions of Working Plan at the cost of User Agency. 25% of the CA cost additionally will be spent towards the soil and moisture conservation activities in the proposed CA area as per site requirement;
 - b. State Government shall ensure that approved site-specific CA schemes, in lieu of diversion of forest land of 106.016 ha shall be implemented by the State Forest Department from the funds already provided by the User Agency;
 - c. State government shall ensure that the CA details are uploaded on E green Watch portal.
- iii. **Net Present Value**
 - a. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and guidelines issued by this Ministry in this regard. Additional NPV if becomes due as per final order of Hon'ble Supreme Court, shall be paid by the User Agency;
 - b. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
 - iv. Compensatory levies for this project, if any to be realized in future from the User Agency, shall be deposited to the account of CAMPA of the State concerned through e-portal (<https://parivesh.nic.in>);
 - v. The State Govt. shall ensure that the User Agency shall carry out mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.
 - vi. The mining lease holder shall, after ceasing mining operations, undertake re-grassing the mining area, and any other areas which may have been disturbed due their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna, etc.
 - vii. The State Govt. shall ensure that the boundary of the diverted forest land, mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-

- ordinates;
- viii. The State Govt. and the user agency shall ensure that the period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
- ix. The State Govt. and the user agency shall ensure that no mining shall be carried out in the land required to be maintained as safety zone all around the mining area;
- x. Safety Zone Management: Following activities shall be undertaken by the user agency for the management of safety zone:
- a. User agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its protection by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department;
- b. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
- c. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department; and
- d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
- xi. Following activities, as per approved plan / schemes, shall be undertaken by the User Agency under the supervision of the State Forest Department:
- a. Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.
- b. Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
- c. Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
- d. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28°; and
- e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- xii. Conveyor belt shall not be used in night time whenever directed by the State Forest Department for the safety of wild animals;
- xiii. The height of conveyor belt from the ground level shall be more than 5-6 metre to enable free crossing of animals especially the elephants under the cable way;
- xiv. The sound level shall be kept minimum as per permissible standards in consultation with the Chief Wildlife Warden of the State;
- xv. The State Govt. ensure that the User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if

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- required;
- xvi. The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land;
- xvii. The State Govt. shall ensure that the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xviii. The user agency will abide by the applicable recommendations of the State Government;
- xix. The State Govt. and the user agency shall ensure that the layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xx. The State Govt. and the user agency shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
- xxi. The State Govt. and the user agency shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xxii. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- xxiii. The State Govt. and the user agency shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xxiv. The State Govt. shall ensure that the User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year;
- xxv. Any other condition that the concerned Integrated Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- xxvi. The State Govt. shall ensure that the user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

Copy to:

1. PCCF (HoFF), State Forest Department, Government of Odisha, Bhubaneswar
2. PCCF & Nodal Officer (FCA), Office of the PCCF, State Forest Department, Government of Odisha, Bhubaneswar
3. Regional Officer (Central), Integrated Regional Office of the MoEF&CC at Bhubaneswar
4. Monitoring Cell, FC Division, MoEF and CC, New Delhi
5. User Agency
6. Guard File

A8/SCC/2017